

MINUTES
VILLAGE OF LAKE PARK
3801 LAKE PARK ROAD, LAKE PARK, NC
PUBLIC HEARING – HISTORICALLY UNDERUTILIZED BUSINESSES
IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON THE PROPOSED
COMMUNITY CENTER RENOVATION APRIL 14, 2009

ATTENDING: Mayor Kendall Spence
Mayor Pro-Tem: Sandy Coughlin
Council Members: Greg Crosby, Virginia Currence,
Jo Waybright, Clint Newton
Finance Officer – Cheryl Bennett
Village Clerk/Tax Collector – Cheri Clark
Attorney Ken Swain

CALL TO ORDER: Mayor Kendall Spence called the Public Hearing for Historically Underutilized Businesses to order.

PUBLIC COMMENT: Cheri Clark read the following into the public hearing:

Minority Business Participation Requirements

Definition – A “minority business” (also called a HUB or “historically underutilized business” is one in which at least 51% of the business is owned and controlled by one or more persons who are Black, Hispanic, Asian American, American Indian, Female, Disabled or Disadvantaged. (G.S. 143-128.4)

Database – The Secretary of Administration is to develop a statewide uniform program for certifying historically underutilized businesses and a database of the certified businesses.

Applicability – A local government project of \$100,000 or more that involves the construction or repair of a building and that receives state appropriations or grants is subject to a ten percent verifiable percentage goal for participation by minority businesses in the total value of the work. This would include building projects done by a private entity on a facility to be leased or purchased by a local government unit. A local government can only apply a different goal to such projects if it had adopted a different verifiable goal prior to December 1, 2001 and it continues to have a sufficiently strong basis in evidence to justify the use of that goal.

A local government project of more than \$300,000 that involves the construction or repair of a building and that receives no state funding is subject to the local government’s own minority participation goal. Each municipality must, after notice and a public hearing, adopt a verifiable percentage goal for participation by minority businesses in the total value of work of locally funded construction projects. The municipality may continue to use a previously adopted goal.

Keep in mind that the point of the verifiable participation goal is that good faith efforts are made to include minorities in the contract awarding process. The statutes do not require selection of minority subcontractors on the basis of their minority status. Contracts will still be awarded to the lowest responsible bidder without regard to race, religion, color, creed, national origin, sex, age or disability.

Bill Parker stated that it was very important to have strict prequalification for contractors to have bonding, references and quality of workmanship.

COUNCIL COMMENTS: Sandy Coughlin stated that it was important for Council to consider and support the HUB ordinance. To not support HUB is like not voting for Civil Rights.

ADJOURN: Jo Waybright made the motion to adjourn the Public Hearing – Historically Underutilized Businesses. Clint Newton seconded the motion. Vote – Unanimous.

Respectfully submitted,

Mayor Kendall Spence

Village Clerk, Cheri Clark